

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DENNIS MONTGOMERY, et al.,

Plaintiffs,

vs.

ETREPPID TECHNOLOGIES, LLC, et al.,

Defendants.

3:06-CV-0056-PMP (VPC)

ORDER

Pending before the court are several motions. On September 17, 2008, plaintiffs, Dennis Montgomery and the Montgomery Family Trust (“plaintiffs”), and defendants, eTreppid Technologies and Warren Trepp (“defendants”) reached a settlement in this proceeding (#856). On December 11, 2008, the Clerk of Court entered a judgment in favor of defendants and against plaintiffs (#898). Notwithstanding settlement and entry of judgment, this court retained jurisdiction over (1) issues related to Michael Flynn’s (“Mr. Flynn”) attorney’s fees (#s 502 & 584), (2) Mr. Flynn’s motion to establish Rule 3.3 procedures pursuant to Nevada Rules of Professional Conduct (#540), (3) Mr. Flynn’s motion for sanctions (#545), (4) compliance with the United States protective order (#s 252 & 253), and (5) enforcement of the confidentiality and mutual non-disparagement provisions of the parties’ settlement agreement.

Having reviewed several motions that remain pending on the court’s docket, the court orders the following motions **DENIED as moot** in light of the parties’ settlement and the subsequent entry of judgment:

1. Defendants’ motion for sanctions re discovery for failure to comply with May 21, 2008 order (#634);
2. Plaintiffs’ motion to compel compliance with the January 22, 2008 order and for order to show cause why defendants should not be held in contempt of court (#684); and

IT IS SO ORDERED.

Valerie P. Cooke

2